

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ALLEN L. ("GLUE") WILKINS,)	Case No. 3:08-cv-185
)	
Petitioner,)	JUDGE KIM R. GIBSON
)	
v.)	
)	
KENNETH R. CAMERON, et al.,)	
)	
Respondents.)	

MEMORANDUM ORDER

Before the Court is a "Rule 60[b] Motion" filed by petitioner Allen L. ("Glue") Wilkins ("Petitioner") on April 5, 2023. (ECF No. 141). On April 17, 2023, Magistrate Judge Keith A. Pesto issued a Report & Recommendation ("R&R") recommending that the Court deny Petitioner's motion and decline to issue a certificate of appealability. (ECF No. 144). On April 26, 2023, Petitioner filed timely objections to this R&R. (ECF No. 149).

The Court has reviewed Petitioner's objections and finds them unavailing. His motion at ECF No. 141 is another attempt to bring a successive habeas corpus petition under the guise of a Rule 60(b) motion without receiving leave to do so from the United States Court of Appeals for the Third Circuit. His previous attempt, brought at ECF No. 69, was rejected by this Court on October 31, 2022. (ECF No. 123). The Court will reject this attempt as well.

Upon de novo review of the record in this matter, Magistrate Judge Pesto's R&R at ECF No. 144, and Petitioner's objections to the R&R at ECF No. 149, the following order is entered.

AND NOW, this 25th day of May, 2023, it is **HEREBY ORDERED** that Magistrate Judge Pesto's R&R at ECF No. 144 is adopted as the Opinion of the Court for its reasoning and conclusion.

IT IS FURTHER ORDERED that Petitioner's "Rule 60[b] Motion" at ECF No. 141 is **DENIED WITHOUT PREJUDICE** to refiling pending authorization by the United States Court of Appeals for the Third Circuit.

IT IS FURTHER ORDERED that issuance of a certificate of appealability is **DENIED**.

BY THE COURT:

A handwritten signature in black ink, reading "Kim R. Gibson". The signature is written in a cursive, flowing style. The first name "Kim" is written with a large, stylized "K". The middle initial "R." is written with a large "R" followed by a period. The last name "Gibson" is written with a large "G" and a stylized "i". The signature is positioned above a horizontal line.

KIM R. GIBSON
UNITED STATES DISTRICT JUDGE